

PRESENTATION OF THE CLAIMS

In accordance with 37 C.F.R. §1.121(c), please amend the claims as indicated in marked-up form below, where additions are underlined, deletions are struck through or boxed, and new claims are presented without markings.

1. (Currently Amended) A method of increasing a realized portion of a plurality of monetary payments that are to be paid on a periodic basis by a first entity to a second entity the method comprising:

creating a deferred income account;

identifying a payout amount for the second entity;

receiving into the deferred income account a deferred portion of a first one of the plurality of monetary payments in order to increase a balance of the deferred income account;

making a loan for a principal amount to the second entity;

after receiving the deferred portion of the first one of the plurality of monetary payments, providing a first portion of the balance of the deferred income account for obtaining the payout amount; ~~and~~

repeating the receiving step for subsequent ones of the plurality of monetary payments; and

periodically withholding an interest payment amount from the balance of the deferred income account to repay a finance charge for the loan,

wherein:

after an occurrence of a qualifying event, the payout amount is distributed to at least one of the second entity and one or more entities designated by the second entity; and

after the occurrence of the qualifying event, the balance of the deferred income account is distributed to at least one of the second entity and the one or more entities designated by the second entity.

2. (Original) The method of claim 1 further comprising:

after receiving the deferred portion of the first one of the plurality of monetary payments, deducting an expense amount from the balance of the deferred income account.

3. (Original) The method of claim 1 wherein:

the balance of the deferred income account and the payout amount are distributed to at least one of the second entity and one or more entities designated by the second entity in a plurality of periodic payments made to the at least one of the second entity and the one or more entities designated by the second entity.

4. (Original) The method of claim 1 wherein:

for each of the plurality of monetary payments, a difference between the monetary payment and the deferred portion is a non-deferred portion for the monetary payment;

the non-deferred portion for the monetary payment is paid to the second entity upon payment by the first entity of the monetary payment;

before a receipt into the deferred income account of the deferred portion, each of the plurality of monetary payments is subject to a first tax amount;

each of the non-deferred portions is subject to a second tax amount; and

the second tax amount is less than the first tax amount.

5. (Currently Amended) The method of claim 1 wherein:

the first entity and the second entity do not have an employer-employee relationship during a time at which the receiving ~~and deducting~~ step[[s]] occurs.

6. (Currently Amended) The method of claim 1 wherein:

the second entity does not receive any portion of any of the plurality of monetary payments in exchange for work performed for the first entity during a time at which the receiving ~~and deducting~~ step[[s]] occurs.

7. (Original) The method of claim 1 further comprising:

advising the second entity regarding a value of one or more of the deferred portions.

8. (Original) The method of claim 7 wherein:

advising the second entity regarding a value of one or more of the deferred portions comprises:

advising the second entity regarding tax consequences of various values of the one or more of the deferred portions.

9. (Original) The method of claim 1 further comprising:

investing an investment portion of the deferred income account.

10. (Cancelled without Prejudice).

11. (Currently Amended) The method of claim 1 further comprising:

making an investment in a third party,

wherein:

the third party makes a the loan for a the principal amount to the second entity.

12. (Currently Amended) The method of claim 1 ~~10~~ wherein:

the loan comprises a revolving line of credit.

13. (Currently Amended) The method of claim 1 ~~10~~ wherein:

the loan is not secured by the deferred income account.

14. (Original) The method of claim 13 wherein:

the loan is secured using at least one of the non-deferred portions of the plurality of monetary payments that has not been paid by the first entity to the second entity at a time when the loan is made.

15. (Original) The method of claim 1 wherein:

the balance of the deferred income account and the deferred portions received into the deferred income account are not subject to a tax during a time at which the receiving step occurs.

16. (Original) The method of claim 15 wherein:

the balance of the deferred income account distributed to the at least one of the second entity and the one or more entities designated by the second entity is subject to a tax.

17. (Original) The method of claim 16 wherein:

the plurality of monetary payments and the balance of the deferred income account distributed to the at least one of the second entity and the one or more entities designated by the second entity are not subject to an employment tax.

18. (Original) The method of claim 1 wherein:

the method is governed by rules promulgated under authority of at least one source selected from the group consisting of: the first entity; a federal Indian Gaming Regulatory Act; a United States Bureau of Indian Affairs; a United States Department of the Interior; and a state compact.

19. (Currently Amended) A method of reducing a tax obligation owed by a tribal member on a plurality of monetary payments that are to be paid on a periodic basis to the tribal member by the tribal member's Indian Tribe, the method comprising:

- creating a deferred income account for the tribal member;

- identifying a payout amount for the tribal member;

- receiving into the deferred income account a deferred portion of a first one of the plurality of monetary payments in order to increase a balance of the deferred income account;

- arranging a loan for a principal amount to the tribal member;

- after receiving the deferred portion of the first one of the plurality of monetary payments, deducting an expense amount from the balance of the deferred income account;

- after receiving the deferred portion of the first one of the plurality of monetary payments, forwarding a first portion of the deferred income account to a third party such that the third party can arrange to obtain the payout amount;

- repeating the receiving and deducting steps for subsequent ones of the plurality of monetary payments;

- after a death of the tribal member, distributing the payout amount to one or more beneficiaries of the tribal member; and

- after the death of the tribal member, distributing the balance of the deferred income account to the one or more beneficiaries of the tribal member over a pre-determined number of years,

wherein:

the tribal member is entitled to the monetary payment as a result of a birthright of the tribal member.

20. (Original) The method of claim 19 wherein:

for each of the plurality of monetary payments, a difference between the monetary payment and the deferred portion is a non-deferred portion for the monetary payment;

the non-deferred portion for the monetary payment is paid to the tribal member upon payment by the Indian Tribe of the monetary payment; and

for each of the plurality of monetary payments, the non-deferred portion for the monetary payment is subject to a lower tax rate than is the monetary payment.

21. (Original) The method of claim 19 wherein:

the Indian Tribe and the tribal member do not have an employer-employee relationship with each other.

22. (Original) The method of claim 19 wherein:

the plurality of monetary payments comprise a distribution from net revenues of at least one of a gaming operation of the Indian Tribe, a commercial operation of the Indian Tribe, or a sale or lease by the Indian Tribe of water, land, oil, timber, coal, sand, or gravel.

23. (Currently Amended) The method of claim 19 wherein:

arranging the loan for the principal amount to the tribal member comprises:

arranging the loan from a third party for the principal amount to the tribal member

~~the third party makes a loan for a principal amount to the tribal member.~~

24. (Original) The method of claim 23 wherein:

the principal amount is paid after the death of the tribal member out of a death benefit of an insurance policy on the life of the tribal member.

25. (Original) A method of increasing a realized portion of a plurality of monetary payments that are to be periodically paid by an Indian Tribe to a tribal member of the Indian Tribe as a result of a birthright of the tribal member, the method comprising:

creating a deferred income account for the tribal member;

identifying a payout amount for the tribal member;

receiving into the deferred income account a deferred portion of a first one of the plurality of monetary payments in order to increase a balance of the deferred income account;

after receiving the deferred portion of the first one of the plurality of monetary payments, deducting an expense amount from the balance of the deferred income account;

after receiving the deferred portion of the first one of the plurality of monetary payments, using a first portion of the balance of the deferred income account to obtain the payout amount;

loaning a principal amount to the tribal member;

providing an insurance policy on a life of the tribal member, the insurance policy having a death benefit;

repeating the receiving and deducting steps for subsequent ones of the plurality of monetary payments;

periodically withholding an insurance payment from the balance of the deferred income account to make a premium payment for the insurance policy;

after a death of the tribal member, distributing the payout amount to one or more beneficiaries of the tribal member; and

after the death of the tribal member, distributing the balance of the deferred income account to the one or more beneficiaries of the tribal member in a plurality of periodic payments,

wherein:

for each of the plurality of monetary payments, a difference between the monetary payment and the deferred portion is a non-deferred portion for the monetary payment;

the non-deferred portion for the monetary payment is paid to the tribal member upon payment by the Indian Tribe of the monetary payment;

for each of the plurality of monetary payments, the non-deferred portion for the monetary payment is subject to a lower tax rate than is the monetary payment; and

the principal amount of the loan is paid after the death of the tribal member out of the death benefit from the insurance policy.

26. (Original) The method of claim 25 further comprising:

if a qualified event has occurred, distributing a qualified portion of the balance of the deferred income account to the tribal member following a request of the tribal member.

27. (Original) The method of claim 26 wherein:

the principal amount is a second portion of the balance of the deferred income account.

28. (Original) The method of claim 27 wherein:

using the first portion of the balance of the deferred income account to obtain the payout amount comprises:

investing the first portion of the balance of the deferred income account.

29. (Original) The method of claim 28 further comprising:

investing a third portion of the balance of the deferred income account on behalf of the tribal member.

30. (Original) The method of claim 29 further comprising:

advising the tribal member regarding a value of one or more of the deferred portions.

31. (Original) The method of claim 30 wherein:

advising the tribal member regarding the value of one or more of the deferred portions comprises:

advising the tribal member regarding tax consequences of various values of the one or more of the deferred portions.

32. (Original) The method of claim 31 wherein:

loaning the principal amount comprises:

providing a revolving line of credit for the principal amount to the Tribal Member.

33. (Original) The method of claim 32 wherein:

the loan is not secured by the deferred income account.

34. (Original) The method of claim 33 wherein:

the loan is secured using at least one of the non-deferred portions of the plurality of monetary payments that has not been paid by the Indian Tribe to the tribal member at a time when the loan is made.

35. (Original) The method of claim 34 wherein:

the plurality of monetary payments and the balance of the deferred income account distributed to the one or more beneficiaries of the tribal member are not subject to an employment tax.

36. (Original) The method of claim 35 wherein:

the method is governed by rules promulgated under authority of at least one source selected from the group consisting of: the Indian Tribe; a federal Indian Gaming Regulatory Act; a United States Bureau of Indian Affairs; a United States Department of the Interior; and a state compact.

37. (Original) The method of claim 36 wherein:

the method is governed by a state compact.

38. (Original) The method of claim 37 wherein:

the monetary payment comprises a distribution from net revenues of a gaming operation of the Indian Tribe.

39. (Original) The method of claim 38 wherein:

the tribal member does not receive any portion of any of the plurality of monetary payments in exchange for work performed for the Indian Tribe during a time at which the receiving, deducting, and using steps occur.